



WISCONSIN REGULATORY DIGEST

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Y2K Update

By the end of this year, everyone - no doubt - will be tired of hearing about the Y2K "problem." The issue has received, and will continue to receive, considerable attention in the media and workplace. Governor Tommy Thompson has made Y2K readiness one of the top priorities of his administration and is committed to ensuring that state agencies are ready to deal with any and all problems which may result from the coming of the year 2000.

The Department of Regulation and Licensing, like all other state agencies, has been preparing for the last couple of years now for the switch to the year 2000. We have analyzed major functions in the department and have identified areas where work was needed in order to prepare for a smooth transition to the year 2000. We are confident that our preparations are on track and we anticipate no major problems in the department as we approach the year 2000.

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There are three main areas which can summarize our progress towards dealing with Y2K issues. They are:

Applications: All of our applications have been converted over to the Oracle database and these processes are Y2K compliant.

Hardware and System Software: The department is currently in the process of upgrading all of our personal computers to ensure that they are Y2K compliant. A complete department-wide testing of all computer hardware devices is being conducted.

Contingency Plans: The department is also developing a contingency plan to address issues related to business resumption in case a disaster involving unforeseen problems may arise due to Y2K issues.

We are confident that our actions to date and the additional efforts which will unfold over coming months will ensure that the department will see a smooth transition from 1999 to 2000. We will keep you posted on an "as needed" basis should other issues materialize or if we need to provide any additional information regarding departmental goals and actions which are aimed at successfully managing the Y2K issue.

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ALERT

Parental access/release of records

There continues to be significant misunderstanding of the law regarding parental access to and/or release of children's mental health records. The law allows children age 14 and up to release their own records. However, the child cannot prevent parental access to those records. Any parent who has not been denied physical placement rights can sign a release of information for records, which is binding upon the therapist, **even if the child does not agree.**

In actual practice, most therapists have been able to reach an agreement ahead of time between parents and children as to what type of information the parents will be able to access. This has generally worked well when there is a good working relationship between the therapist, child and parents. However, this agreement is **not legally binding.** Since a non-custodial parent who has even limited visitation has access to the records, it is prudent to involve that parent in the early treatment contract discussions.

If you assure a child that his/her treatment information or records cannot be released without their permission, you are potentially putting yourself in a difficult dilemma. The situation could arise where you are left with the choice of violating your assurance to the child, or violating state law, and potentially subjecting yourself to disciplinary action.

What's In a Name? Barbara A. Van Horne, Ph.D., licensed psychologist

WHEN AND HOW CAN YOU USE "LICENSED" IN YOUR TITLE?: There appears to be confusion on the part of psychologists and, as a result, consumers about what we call ourselves. This state licenses psychologists. We hold a "generic" license; home-grown-variety psychologist. Wisconsin, unlike some states, does not license clinical or health care provider or any other speciality. Therefore, psychologists licensed in Wisconsin can be only identified as **LICENSED PSYCHOLOGIST or LICENSED PRIVATE PRACTICE SCHOOL PSYCHOLOGIST.**

WHEN AND HOW CAN YOU IDENTIFY YOURSELF AS A SPECIALIST?: APA has specific procedures for the identification and

recognition of specialties and proficiencies in psychology reviewed by the Committee for the Recognition of Specialties and Proficiencies in Professional Psychology (CRSPPP). Criteria for speciality and proficiency designations has been established to be reviewed by CRSPPP and acted on by the APA Council of Representatives. "A speciality is a defined area of psychological practice which requires advanced knowledge and skills acquired through an organized sequence of education and training."

In order to use the "title" clinical psychologist or counseling psychologist or school psychologist or industrial-organizational psychologist, clinical child psychologist or clinical health psychologist or clinical neuropsychologist or psychoanalytic psychologist, you must have obtained an organized sequence of education and training at the doctoral or post-doctoral level from a department/program so designated in addition to supervised applied professional application of the specialty. **Even if a speciality is obtained, it cannot be used in combination with "licensed."** For example, a clinical psychologist (speciality designation) **can not use the** title "licensed clinical psychologist." That same psychologist could use the title "licensed psychologist" or "clinical psychologist."

Recognition of Proficiencies. The CRSPPP defines Proficiency as a "circumscribed activity in the general practice of professional psychology or one or more of its specialties.. Proficiencies can only be acquired through appropriate education and training focused quite specifically and intensively on defined content." The following proficiencies are recognized by APA: Treatment of Alcohol and Other Psychoactive Substance Use Disorders; Biofeedback; Applied Psychophysiology; and Clinical Geropsychology.

The Wisconsin statutes and rules clearly dictate that psychologists practice only within the boundaries of competence based on education, training, and supervised experience.

The APA Ethical Principles and Code of Conduct of Psychologists caution psychologists

to practice or represent themselves and their credentials only within the boundaries of competence as determined by education and training. (The following references are directly relevant to this issue: Principle A: Competence. Ethical Standard 1.04 Boundaries of Competence; 1.05 Maintaining Expertise; 3.03 Avoidance of False or Deceptive Statements).

The importance of clarity of title rests on protection of the consumer. Informed consent includes accurate representation of training and experience. If credentials are presented in a way that exaggerates or implies a level of education, training and experience not obtained, consumers of services have no way to discriminate. It behooves all of us to follow our state statutes and rules as well as the guidelines set forth by our professional organization. It is critical to never misrepresent level of competence.

Program Will Facilitate Mobility for Licensed Doctoral Psychologists

Steven Demers, Ed.D.

A new program designed to ease mobility problems experienced by licensed doctoral psychologists began August 1, 1999. Association of State and Provincial Psychology Boards (ASPPB) announces its program of individual certification designed to facilitate mobility for psychologists licensed at the doctoral level in a state, province or territory in the U.S. or Canada. ASPPB will issue a Certificate of Professional Qualification in Psychology (CPQ) to licensed psychologists who meet standards of educational preparation, supervised experience, and examination performance, and who have practiced for a minimum of five years and have no history of disciplinary action. ASPPB is encouraging licensing boards in the United States and Canada to accept the CPQ as evidence of eligibility for psychology licensure in their jurisdictions. Through the CPQ program, ASPPB hopes to improve the process for licensing psychologists already credentialed in one jurisdiction and ease the burdens on psychology licensing boards faced with regulating an increasingly mobile profession.

Steven T. DeMers, Ed.D., former president of ASPPB and currently director of the CPQ program, notes that the CPQ program and ASPPB's Agreement of Reciprocity are different but complementary programs. Reciprocity is an agreement between jurisdictions in which each jurisdiction agrees to recognize licenses issued by the other jurisdictions in the agreement. The ASPPB Agreement of Reciprocity has specific requirements each participating jurisdiction must require of new applicants for licensure. Based on the comparability in current licensure standards, the participating jurisdictions agree to accept all licensees from participating jurisdictions, even if they were licensed under earlier less stringent standards. Current members of the Agreement of Reciprocity are: Iowa, Kentucky, Manitoba, Mississippi, Missouri, Nevada, Oklahoma, Ontario and Texas. Other jurisdictions are in the process of making changes in their law or rules to enable them to join the agreement.

On the other hand, the CPQ program is an individually based endorsement of licensure eligibility. Potentially, it does for individuals what a reciprocity agreement does for jurisdictions. Individuals who meet established standards of training and experience can obtain the CPQ even if their jurisdiction's licensing law does not meet established standards. In endorsement, a jurisdiction agrees to recognize the CPQ as a meeting most of the qualifications for licensure. Each jurisdiction decides for itself whether to recognize the CPQ.

Granting of the CPQ is based on an individual psychologist demonstrating compliance with ASPPB-recommended standards for licensure. For psychologists listed in the National or Canadian Registers of Health Service Providers in Psychology or who hold a diploma from the American Board of Professional Psychology, some requirements to obtain the CPQ are waived. A grandparenting provision is designed to ease mobility concerns for individuals licensed based on a doctoral degree in 1981 or before in the United States or in 1986 or before in Canada and who apply for the CPQ by December 31, 2000. For details on the three

options for qualifying for the CPQ, check ASPPB's web site at <http://www.asppb.org>.

A key feature of the CPQ program is its credentials bank, which provides a way for psychologists to store evidence of their professional education, supervised experience, prior licensure, and exam performance, regardless of whether they are granted a CPQ. Once archived, this information can be accessed and submitted to any psychology licensing board, thereby reducing hassles associated with documenting compliance with licensure criteria, particularly long after one's training and initial licensure.

It is important to note that the CPQ does not constitute a license to practice. It is a mechanism to facilitate the granting of a license to practice in a second or subsequent jurisdiction. Once a psychology board agrees to recognize the CPQ, it has agreed to accept a CPQ holders' educational preparation, supervised experience, and examination performance for licensure. A jurisdiction may require a CPQ holder to pass local requirements such as a jurisprudence exam (e.g. local mental health law), training on abuse reporting, or a personal interview. Since a few jurisdictions limit licensure to psychologists trained as health service providers, a non-health service provider may obtain the CPQ yet not be eligible for licensure in some jurisdictions.

To date, seven psychology regulatory bodies in the U.S. and Canada (British Columbia, California, Kentucky, Mississippi, Oklahoma, Ontario, and Wisconsin) have agreed to recognize the CPQ. ASPPB is working with all U.S. and Canadian psychology boards to encourage widespread adoption. ASPPB's web site features a current list of states and provinces that recognize the CPQ. As more jurisdictions move to accept the CPQ, its value in facilitating mobility will increase. And even if one seeks to relocate in a jurisdiction that does not accept the CPQ, a credentials record with ASPPB will facilitate mobility by maintaining an easily accessible record of qualifications. If you have questions, or to request an application, send e-mail to cpq@asppb.org or write CPQ,

c/o ASPPB, P.O. Box 4389, Montgomery, AL 36103.

Mobility Update

Wisconsin is now accepting applicants under the Certificate of Professional Qualification (CPQ) and Senior Psychologist paragraphs of the board administrative rules. Under these paragraphs, the applicant will not be required to submit documentation of education, supervised experience forms or EPPP (national exam) score.

Currently eight states and provinces accept the CPQ, and seven more have voted to accept it, but have not yet completed any statutory/rule changes needed to implement it. At the ASPPB annual meeting (Sept. 29, 1999 – Oct. 3, 1999) several more states indicated that they have just approved, or were about to approve acceptance of the CPQ. The only other state known to have a senior psychologist rule in place is Florida, although several other states are considering a similar provision in their application process.

Wisconsin has also been accepted into the ASPPB (Association of State and Provincial Psychology Boards) reciprocity agreement; however formal entry into that agreement requires approval of the Wisconsin legislature.

There are currently seven states and two Canadian provinces in the reciprocity agreement (with Wisconsin hopefully soon joining). There are two more states with applications in process (this can take several years). At the annual meeting a number of other jurisdictions indicated that they were considering taking it up. However, it is likely that approximately half of the states would never be able to join that agreement because of statutory limitations. Many of these are currently or are considering accepting the CPQ.

More information about these programs, the states involved and the requirements for each can be found at the ASPPB web site: www.asppb.org, or by mail at ASPPB, P.O. Box 4839, Montgomery, AL 36103.

Exam Fee to Increase in July 2001

The fee charged for the examination for Professional Practice in Psychology (EPPP) will increase to \$450 U.S. per candidate effective July 1, 2001. The increase will be the second of two intended to cover costs associated with computerization of the EPPP and also will pay for validity studies on the exam, a future practice analysis, and other ASPPB projects. The fee increased to \$350 U.S. in April 1999.

The ASPPB Board of Directors voted in June to plan the additional fee increase, and notification letters were sent to ASPPB member boards in July. The increase will not cover the computer vendor fee, which will be paid directly by the candidate. A computer-delivered EPPP will be available in 2001.

Clarification: (Scope of Practice, August, 1999)

A supervising psychologist does not have to have met specialty requirements in I/O psychology to provide executive coaching. However, appropriate education and training is required before expanding one's practice into any area. The intent of the Board is to insure that supervisors be qualified in the content area.

Disciplinary Actions

ROBERT J. VAUGHN, Ph.D.

DOUSMAN WI REPRIMAND
Failed to avoid a dual relationship. Reported misleading psychological information. Effective 4/13/99. Sec. 455.09(1)(g), Stats. Psy 5.01(7). Case #LS9904132PSY

ROBERT A. BUTLER, Ph.D.

GREEN BAY WI
REPRIMAND/EDUCATION
Failed to avoid a conflict of interest. Effective 9/1/99. Sec. 455.09(1)(g), Stats. Psy 5.01(17) Case #LS9909012PSY

MARGARET CROSBIE-BURNETT, Ph.D.

MIAMI FL VOLUNTARY SURRENDER
Failed to obtain 40 contact hours of board-approved continuing education during the biennium immediately preceding her application for renewal of her license for the October 1, 1997 through September 30, 1999 biennium. Effective 9/1/99. Sec. 455.09(1)(g), Stats., Psy

4.01, 5.01(28) Case #LS9909011PSY

STEVEN V. SCHNEIDER, Ph.D.

GREENDALE WI SUSPEND AT LEAST 1 YEAR/STAYED

Charged with four counts of misdemeanor theft and four felony counts of obtaining a controlled substance by fraud. Practiced with an impairment related to alcohol or other drugs; theft of medication from his clients; unlawfully obtaining possession of controlled substances prescribed for his patients. The suspension is stayed with limitations imposed. Effective 10/8/99. Secs. 943.20(1)(a), 939.51(3)(a), 961.41(3g), 961.43(1),(2), Stats. Psy 5.01(2),(5),(11) Case #LS9910081PSY

ELAINE M. GOLDBERG, Ph.D.

BELLEVUE WA REVOKED
Convicted in California of three counts, Disturbing the Peace, and one count, Maintaining a Public Nuisance. Failed to register with the California board prior to or during her supervision of a psychological assistant. Failed to complete work on 189 files in connection with her employment. Effective 9/1/99. Psy 5.01(1),(2),(3),(5) Case #LS9905252PSY

INGRID D. HICKS, Ph.D.

MILWAUKEE WI SURRENDER RIGHT TO RENEW

On 4/1/99 was convicted in U.S. District Court for the Eastern District of Wisconsin of one count of submitting false claims to the U.S. Department of Health and Human Services. Sentenced to five years of probation. She has not renewed her license since it expired on 9/30/99. Effective 10/8/99. Sec. 455.09(1)(g), Stats. Psy 5.01(5) Case #LS9908101PSY

REGULATORY DIGEST

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Telephone Directory

Automated Phone System for Chiropractic, Acupuncture, Marriage & Family Therapists, Massage Therapists and Bodyworkers, Music, Art and Dance Therapists, Nursing, Optometry, Professional Counselors, Psychology, & Social Workers: (608) 266-0145

Press 1, then 4 **Application Requests for License & Continuing Education**

Press 2 **Information on Status of Pending Applications.**

Press 3 **Information on Renewal, Verifications, Letters of Good Standing & Name or Address Changes.**

Press 4 **Complaint Filing Information**

Press 5 **Application Questions**

Press 6 **Repeat Menu Choices**

FAX (608) 261-7083

Quick Keys

The following are voice mail **“short cuts.”**

To request a license application for your profession, just dial (608) 266-0145, then enter the Quick Key numbers below for the profession you want:

- 1-4-1 Doctoral in Psychology
- 1-4-2 Cont. Ed. Information/Application
- 1-4-3 Private Practice School Psychologist

Verifications

All requests for verification of license status must be in writing. There is no charge for this service.

Endorsements

Requests for endorsements to other states must be in writing. The cost is \$10. Please make check or money order payable to the Department of Regulation and Licensing.

Meeting Dates:

1999: 12/7.

Visit the Department's Web Site

<http://badger.state.wi.us/agencies/drl/>
Send comments to dorl@drl.state.wi.us

Digest on Web Site

December, 1997, June, 1998 and December, 1998

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